

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL NO. 1:18-cv-00117-MR-WCM**

UNITED STATES OF AMERICA,  
)  
)  
Plaintiff,  
)  
)  
vs.  
)  
129 RESERVOIR RIDGE DRIVE,  
CULLOWHEE, NORTH CAROLINA,  
)  
Defendant.  
)

# **ORDER OF DEFAULT JUDGMENT AND FINAL ORDER OF FORFEITURE**

**THIS MATTER** is before the Court on the Government's Motion for Default Judgment and Final Order of Forfeiture [Doc. 45].

The Government seek the entry of a default judgment and final order of forfeiture as to all persons and entities with respect to the Defendant Property, other than JPMorgan Chase Bank, N.A. (“JPMorgan”), whose interest was transferred, Flagstar Bank, FSB (“Flagstar”), whose claim was resolved in the Consent Order issued March 31, 2020, and Mark Loren Miller, whose interest was forfeited to the United States. [See Docs. 35, 41].

After careful review, the Court will grant the Government's motion. Having dismissed the claim of Mr. Miller and granting the Government's

motion for summary judgment, and there being no further proceedings necessary in this matter, the Court, pursuant to 18 U.S.C. § 981, 18 U.S.C. § 983, 18 U.S.C. § 985 and 21 U.S.C. § 881, now enters a Final Order and Judgment of Forfeiture against the Defendant Property.

**IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED** that the Government's Motion for Default Judgment and Final Order of Forfeiture [Doc. 45] is hereby **GRANTED**, and judgment is entered in favor of the United States against all persons and entities in the world with respect to the real property located at 129 Reservoir Ridge Drive, Cullowhee, North Carolina as described in Book 1898, Pages 775-777 in the Register of Deeds for Jackson County and identified in the Verified Complaint, other than JPMorgan, whose interest was transferred; Flagstar, whose claim to the Defendant Property was resolved pursuant to the terms of the Consent Order; and Mark Loren Miller, whose interest was forfeited to the United States.

**IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED** that with the exception of Flagstar's claim as resolved pursuant to the terms of the Consent Order [Doc. 35], any right, title and interest of all other persons and entities in the world to the real property located at 129 Reservoir Ridge Drive, Cullowhee, North Carolina as described in Book 1898, Pages 775-777 in the

Register of Deeds for Jackson County and identified in the Verified Complaint, is hereby forfeited to the United States, and no other right, title, or interest shall exist, and the forfeiture of the Defendant Property is final.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the United States Marshal is hereby directed to dispose of the real property located at 129 Reservoir Ridge Drive, Cullowhee, North Carolina as described in Book 1898, Pages 775-777 in the Register of Deeds for Jackson County and identified in the Verified Complaint, as provided by law, and consistent with the terms of the Consent Order with Flagstar [Doc. 35].

**IT IS SO ORDERED.**

Signed: October 2, 2020



---

Martin Reidinger  
Chief United States District Judge

